Present

App. F. IX-4

Previous References

Mrs 158 34 1 2
& 107-32-2

1934
(Mysore)

File No. 208-34
Serial Nos. 1—4

Later References.

GENERAL AND REVENUE SECRETARIAT.

Serial No. 4

Part B for April 34

SUBJECT.

Calling for Mysore Government remarks on the Madras Hindu Matters Bill.
Bill no 24 of 1934

Dy No Secretary to the Hon'ble the Resident in Mysore Bangalore
Ins 1124 of 16 34

WD 0285—GPB 1500 Printed

Informs him as suggested by the

All communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name

No F.327-35
R.O.I.

From

Major C.G.N. Edwards, I.A.,

SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Dated Bangalore, 22nd February 1935

Subject.
The Madras Hindu Maths Bill (Bill No.24 of 1934).

Sir,

I am directed to forward a copy of the Madras Hindu Maths Bill, (Bill No.24 of 1934) received from the Government of Madras and to say that suggestions and remarks which may be received in respect of the Bill will be considered by the Select Committee of the Madras Legislative Council which will meet early in March next. I am therefore to request, at the instance of the Government of Madras, that any remarks which the Government of Mysore may wish to make in regard to the provisions of the Bill may if there is no objection, be forwarded to this Residency at a very early date.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

PKH/23.2.

All Communications should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

2 of 1894

No F.327-35
R.O.I.

D. No. 1052
30-35

FROM

Major C.G.K. Edwards, I.A.,

SECRETARY TO THE HON'BLE THE RESIDENT IN MYSORE.

To

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

Dated, Bangalore, the 22nd March 1935

Subject.

The Madras Hindu Maths Bill
(Bill No.24 of 1934).

.....

SIR,

I am directed to refer to my letter No. 327-35/R.O.I, dated the 23rd February 1935, and to request the favour of an early reply.

I have the honour to be,
Sir,
Your most obedient servant,

for SECRETARY TO THE RESIDENT.

PKH/19.3.

The bill was sent to Mr H.C on 25th Feb 1935 for favour of remarks. His reply is awaited. A draft reminder to him is enclosed.

22/3

TYPING SECTION
GENL
22 MAR 1935

Madras Hindu Mutts [illegible] 1935

[App. F. III-2

General and Revenue Secretariat — File No. [illegible] of 193[illegible]

Serial No.

3

[illegible]

b The remarks offered by the H.C will be accepted if appld, and the same communicated to the Residency.

7 Reference paras 2 and 3 supra

[illegible] 25/3/35 [illegible] Keith 25/3/35

[illegible] 26 MAR. 1935

OFFICE OF THE SECOND MEMBER OF COUNCIL. 26 MAR 1935 No. [illegible]

9 RR

2nd Member — 26/3/35

9. On the whole I think it is not appropriate that the Mysa Govt sd send detailed views on a prov. legislation for consid. by the Select Com — Sec 9 the local Council especially on a controversial measure like this we may therefore send only para 1 of the m[illegible] letter

x 9wd

Spr 1/4

DEWAN OFFICE 1935 No. 5020

Dewan RR

Pagan nil. as II Member. 2/4/35

2/4

3-4-35

Spr 2/4

6/4 2/4

Note—Contn. Sheet.

4 Madras Finance Bill, 1935

Home File No. of 1934

General and Revenue Secretariat

11) A draft reply to the Residency is lenclosed with reference to paras 9 & 10 supra.

HMS 8/4

12) Pick up clean draft as revised please E 8/4

13) A clean draft is enclosed.

HMS 8/4

14) For approval E 8/4/35

Ch: Secy)

9 APR 1935

15) Please speak to me RR 9/4/35 E 9/4

16) For approval RR 10/4/35 E 10/4/35

ID no remarks.

SECOND SECTION
11 APR. 1935
No. 6-4-3

J/12 11/4 RR 11/4 E 11/4

TYPING SECTION
13. APR. 1935
GENL. & REV. SECTT.

5

General and Revenue Secretariat

File No.

of 193

[App. F. III—

Serial No.

WD 01955—GPB—22,500—12 6-34

File No. of 193 .

General and Revenue Secretariat

6

Appendix F.G—1]

SUBJECT .....

.....

.....

Section

File No.

Serial No.

Diary No. of letter replied to .....

No.

To

General and Revenue Secretariat

( )

the *193*

Date of issue 25-2-35

Signed by .....

Copies of the above is forwarded, with Compliments, to the M.C in charge for favour of remarks on the Madras Hindu Mathas Bill sent herein enclosed

By order

for Chief Secy to Govt

23/2/35

List of enclosures .....

Copied by .....

Examined by.....

WD 01956—GPB—22,500—12-6-34

8

M C 13.] No. HC 100 Executive 34-35

OFFICE OF THE MUZRAI COMMISSIONER, IN MYSORE,

Dated, Bangalore, ... 193 .

Judg D. No 1050 34-35

FROM

N. MADHAVA RAO, ESQ., B.A., B.L.,
Muzrai Commissioner in Mysore.

Mog 208-34-3

TO

Rajaseyasakta
R. Ranga Rao, Esq., B.A., B.L.,
Chief Secretary to the Government of His Highness the Maharaja of Mysore,
Bangalore *Department.*

SIR,

With reference to your [illegible] ary 1935 calling for my remarks on the Madras [illegible] this Bill, I have the honor to state that the one question of importance [illegible] Mysore Government in connection with this Bill is the [illegible] application. The Bill purports to apply to [illegible] of Madras, except the [illegible] Section 3 and the endowments [illegible] Maths whose heads reside in the Mysore State, [illegible] the purview of the Bill in respect of [illegible] the Madras Presidency although [illegible] ments in different parts of the Madras [illegible] there are certain Maths in the [illegible] grants are given by the [illegible] these institutions are [illegible] the Bill do not very [illegible].

As regards these matters, [illegible] Government [illegible] At the same time, however, [illegible] have principles in the [illegible] be inappropriate for [illegible] their general views on the matter.

Letter No. F. 327-35/F.O.I, dated 22/23rd February 1935, from the Secretary to the Hon'ble the Resident in Mysore, to the Chief Secretary to Government of Mysore, Bangalore.

Subject.

The Madras Hindu Mathas Bill (Bill No. 24 of 1934).

I am directed to forward a copy of the Madras Hindu Maths Bill, (Bill No. 24 of 1934) received from the Government of Madras and to say that suggestions and remarks which may be received in respect of the Bill will be considered by the Select Committee of the Madras Legislative Council which will meet early in March next. I am therefore to request, at the instance of the Government of Madras, that any remarks which the Government of Mysore may wish to make in regard to the provisions of the Bill may if there is no objection, be forwarded to this Residency at a very early date.

Memo No. 1133 — Bill no 24 of 1934.
General and Revenue Secretariat.
Bangalore, dated 23rd February 1935.

Copy of the above is forwarded with compliments, to the Muzrai Commissioner in Mysore, for favour of remarks on the Madras Hindu Maths Bill herein enclosed.

By Order,

For Chief Secretary to Government.

TRV.3

3. As to the desirability of bringing Maths and their endowments under some sort of effective control, there is scarcely any difference of opinion now days. The theory that Mathadhipathis are not trustees but beneficial owners for life of the income, if not of the corpus, of the Math properties, is one which is held only in interested or reactionary circles. A greater degree of control over these institutions in secular matters, particularly for the purpose of protecting their properties from alienation and misuse, is undeniably necessary.

4. But the measure now under reference goes to the other extreme and proposes to take away all power in secular matters from the Mathadhipathi; and even in religious matters, this discretion is subordinated to that of a council of disciples and in the last resort to that of the Board of Hindu Religious Endowments. This has naturally evoked the resentment of the Maths and appears even to the more enlightened among the disciples of the Maths to strike at the root of the principles on which Mathas are founded. The Select Committee on the Bill which has passed as Madras Act II of 1927, observed as follows:-

> "We recognise at the same time that the powers of the head of a Mutt over Mutt property, especially the income therefrom, are wider than those of an ordinary trustee, and that the Mathadhipathi by virtue of the spiritual veneration in which he is held by his disciples occupies a position which entitles him to a privileged treatment."

This fairly represents the views of the enlightened Hindu community as to the position which should be assigned to a Mathadhipathi in secular matters. As for the ~~recognition~~ regulation of religious matters it is generally considered that the authority of the Mathadhipathi should be maintained intact. If he is assisted by a council of disciples, the Mathadhipathi should have a substantial, if not the sole, voice in its composition and the duties of the Council should be purely advisory. An appeal to the Board over the head of the Mathadhipathi in religious matters would reduce the latter to a non-entity.

5. Without making any attempt at a detailed criticism of the measure in which, as already stated, the ~~following~~ our direct interest is limited, suggestions are offered merely as illustrating the view-point expressed above:-

Clause 3. The preparation of a list of disciples would be a very difficult task in the case of Mutts which have a following in several districts and even outside the Presidency. The provision would in all probability be found unworkable.

Clause 9. It would perhaps be sufficient if a special list of persons acknowledging spiritual allegiance to a Mutt are nominated by the Board, the majority of them being nominated by the Mahant-pathi.

Clause 10. The second paragraph of this Clause which enables the Council to appeal to the Board against the decisions of the Mahant-pathi appears to be inappropriate and open to objection.

Clause 11. This is to some extent, analogous to Section 25 of the Mysore Religious and Charitable Institutions Regulation. It might be made clear that the person appointed to act under sub Clause (1) can only discharge the secular functions of the Mahantpathi and that in selecting such person due regard should be paid to the wishes, if any, expressed by the previous Mahantpathi.

Clauses 13 and 14. The appointment of the Executive Officer should be made with the consent of the Mathadhipathi and the Executive Officer should be subject to the general control of the Mahantpathi, with however, a right to refer serious points of difference to the Board for decision.

Clause 33. Under the Mysore Law, Government does not interfere with the internal management of a Mutt, unless they have reason to believe that there has been gross mismanagement or alienation of properties in which case an enquiry is instituted through a committee, and thereupon Government may pass such order as it deems fit regarding the management of the institution (Sections 28 to 28 of the Mysore Religious and Charitable Institutions Regulation). This is the spirit of Sections 61 to 65 of the Madras Hindu Religious Endowments Act also. The need for adopting a more drastic provision such as that contained in Clause 33 is not clear.

6. The copy of the Bill received with your letter is returned.

I have the honour to be,
Sir
Your most obedient servant.

M. A. Venkatarama Iyer

Madras Legislative Assembly.

11

Appendix F. G.–1]

SUBJECT.....

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Section. Mag

File No. 208-34

Serial No. 4

Diary No. of letter replied to.....

No. Pol. 1134

To

The Secy to the Hon'ble the Resident

General and Revenue Secretariat.

( )

the *193* .

Sir.

Date of issue 16-4-35

With reference to your letter No F 327-35/R.O.I dated 23.2.35 regarding the Madras Hindu Mattas Bill (Bill No 24 of 1434), I am directed to state that the following questions of importance to this Govt. about this Bill is, the extent of its application. The Bill purports to apply to Mattas in the Presidency of Madras (those situated in) except the Presidency Town, which may be notified under Section 3 and the endowments thereof. This

Signed by Asst. R. S.

List of enclosures.....

Copied by.....

Examined by.....

TYPING SECTION
15 APR. 1935
GENL. & REV. SECTT.

Obviously ~~is included~~ 82

presumably means that Maths whose headquarters are in the allied State do not come within the purview of the Bill, in respect of properties owned by them in the Madras presidency, although they may maintain mere establishments in different parts of the Madras presidency. (Then again, there are certain Maths in the Madras presidency, to which annual grants are given by the Govt out of its public revenues. But these institutions are only a few in number and the grants made to them are not very large.

I don't see the necessity for alteration Yes. RG 6/4

I have etc

8/4/35 Chief Secy to Govt

8/4

13

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Bangalore, Dated 16th April 1935.

No. Poc. 1134

From Rajasevasakta
R.Ranga Rao, Esq., B.A., B.L.,
Chief *Secretary to the Government of His Highness the Maharaja of Mysore*

To

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

Sir,

With reference to your letter No.F.327-35/R.O.I dated 25rd February 1935, regarding the Madras Hindu Mathas Bill (Bill No.24 of 1934), I am directed to state that the one question of importance to this Government about this Bill is the extent of its application. The Bill purports to apply to Mathas in the Presidency of Madras except those situated in the Presidency Town, which may be notified under Section 5, and the endowments thereof. This obviously means that Mathas whose headquarters are in the Mysore State do not come within the purview of the Bill in respect of properties owned by them in the Madras Presidency, - - although they may maintain minor establishments in different parts of the Madras Presidency.

I have the honour to be,

Sir,

Your most obedient servant,

RR 16/4/35

Chief Secretary to Government.

V.L.